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 JAN 24 2005  
 PATENT & TRADEMARK OFFICE  
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**Benveniste, Mathilde**

Serial No.: 09/813,794

Confirmation No.: 3058

Filed: March 22, 2001

For: ASYMMETRIC  
MEASUREMENT-BASED  
DYNAMIC PACKET  
ASSIGNMENT SYSTEM  
AND METHOD FOR  
WIRELESS DATA  
SERVICES

Group Art Unit: 2664

Examiner: Jamal A Fox

**MAIL STOP AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## CERTIFICATE OF TRANSMISSION

37 CFR 1.8

I hereby certify that this correspondence is being transmitted by first class mail to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 21, 2005.

January 21, 2005  
Date

Lynda DeNardi  
Signature

Dear Sir:

**RESPONSE TO OFFICE ACTION DATED SEPTEMBER 21, 2004**

In response to the Office Action dated September 21, 2004, having a shortened statutory period for response set to expire on December 21, 2004, please enter this response and reconsider the claims pending in the application for reasons discussed below. Applicant requests for a one month extension of time and submits fees in connection with this response. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ATT/113006, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.